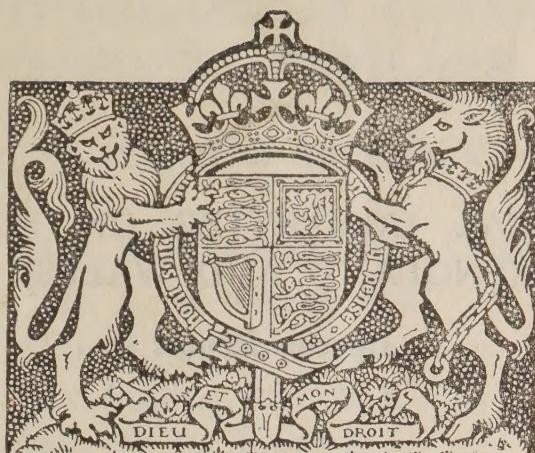


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Interdepartmental Committee on Slaughterhouses (England and Wales)

INTERIM REPORT

*Presented by the Minister of Food to Parliament
by Command of Her Majesty
January 1954*

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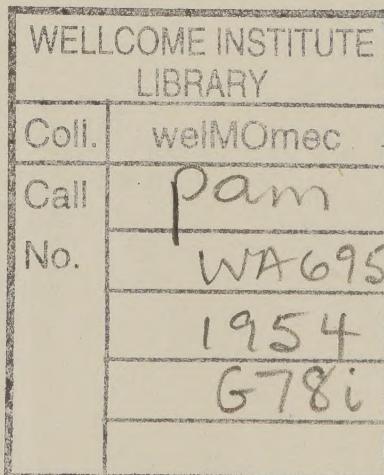
INTERDEPARTMENTAL COMMITTEE ON SLAUGHTERHOUSES (ENGLAND AND WALES)

Interim Report

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0500

INTERDEPARTMENTAL COMMITTEE ON SLAUGHTERHOUSES (ENGLAND AND WALES)

Minute of Appointment

I hereby appoint:—

Mr. R. HERBERT, C.B., C.M.G.
Mr. L. W. CRAWFORD
Mr. B. C. ENGHOLM
Sir JAMES LYTHGOE, C.B.E.
Mr. H. F. SUMMERS
Mr. H. TWINCH, C.B.E.

to be a Committee with the following terms of reference—

To prepare a plan recommending in what localities, subject to a policy of moderate concentration, slaughterhouses (other than in bacon factories) should be sited for the slaughter in England and Wales of cattle, sheep and pigs; to recommend an order of priority for new works and major reconstructions; to make recommendations on the general principles of siting and the facilities that should be provided in these slaughterhouses; and to report on the changes that may be necessary in existing legislation to secure the central regulation of siting and design of slaughterhouses.

I further appoint Mr. R. Herbert to be Chairman, Mr. L. W. Crawford to be Vice-Chairman and Mr. V. F. Wood to be Secretary of the said Committee.

(Sgd.) G. LLOYD-GEORGE,

9th February, 1953.

Minister of Food.

Minute from the Minister of Food to the Chairman of the Committee

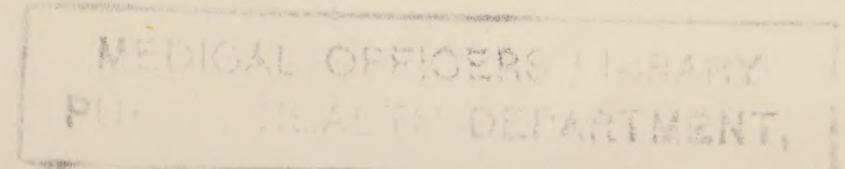
Since the Interdepartmental Committee on Slaughterhouses, of which you are Chairman, was appointed, the Government has announced its intention to discontinue trading in meat when rationing ends next year and it has published its proposals for the future marketing of fatstock in the White Paper on the Decontrol of Food and Marketing of Agricultural Produce.

In para. 7 of the Appendix to the White Paper, the Government has reaffirmed its policy of moderate concentration of slaughterhouses but it has pointed out that, with the end of rationing and allocation, more slaughterhouses will be required than are in use at the present time. This announcement is bound to have a direct impact on the Committee's present investigations and it would be helpful to the Agricultural Ministers and to myself if the Committee would consider the form which, with due regard to the long-term policy, interim arrangements might take to ensure that meat distribution is satisfactorily carried out when free marketing is resumed next summer.

(Sgd.) G. LLOYD-GEORGE,

Minister of Food.

7th December, 1953.



INTERDEPARTMENTAL COMMITTEE ON SLAUGHTERHOUSES
(ENGLAND AND WALES)

INTERIM REPORT

To—

MAJOR THE RIGHT HONOURABLE GWILYM LLOYD-GEORGE, M.P.,
Minister of Food.

SIR,

1. Following the publication in November, 1953, of the White Paper Command 8989—on the Decontrol of Food and the Marketing of Agricultural Produce you have asked us as a matter of urgency to consider the form which, with due regard to the long-term policy, interim arrangements for slaughtering might take to ensure that meat distribution is satisfactorily carried out when free marketing is resumed next summer.

2. While we were not required under our original terms of reference to base our recommendations on any particular pattern of fatstock or meat marketing to the exclusion of another, it has become clear to us that the method of marketing must have some effect on the ways in which a policy of moderate concentration of slaughterhouses would be carried out. Before your request was made to us we had, therefore, already given some consideration to the question of the method of marketing of fatstock and meat after decontrol and the effect which the necessity for adequate slaughtering capacity immediately following decontrol would be likely to have on the general policy of concentration.

3. We recognise that facilities which have been found sufficient for the slaughtering of all animals under a system of controlled distribution and under arrangements which enabled the Ministry of Food to plan the whole operation of movement of fatstock, slaughter and disposal of meat and by-products would be quite inadequate under conditions of free marketing. On decontrol the purchase of fatstock will be in private hands and its conversion into meat must conform to the requirements of thousands of individual butchers and to the varying demands of all their individual customers. It is important also to many interests, including the Exchequer, that the marketing of fatstock should not be impeded. Any arrangements that are made immediately to follow the end of control should, however, be such as to facilitate the Government's policy of moderate concentration of slaughtering. Recommendations which we make in this Interim Report are designed to those ends.

4. Our last five meetings have been confined to the additional problems you have referred to us. It has been necessary for us to have regard to the existing legislation contained in the Food and Drugs Act, 1938 relating to slaughterhouses and the effect that the present control scheme has had on the licensing and use of the pre-war slaughterhouses. We refer to these problems in the following sections of this Report and it will be seen that our recommendations will, if accepted, require amending legislation. A summary of our recommendations is in paragraph 75.

I. EXISTING LEGISLATION RELATING TO LICENSING OF PRIVATE SLAUGHTERHOUSES

5. The Food and Drugs Act, 1938, which extended and consolidated earlier legislation on slaughterhouses in England and Wales, had as one of its objects the improvement of the general hygienic conditions of slaughterhouses. It contains provisions in Section 57 which make it an offence for the occupier of a slaughterhouse to use the premises for slaughtering unless he holds a licence granted by the local authority in respect of the premises. Licences are operative for a period of not more than 13 months. Local authorities for this

purpose comprise the Councils of County Boroughs and of other Boroughs and the Councils of Urban and Rural Districts. London is excluded from the slaughterhouse provisions in the 1938 Act but is covered in this respect by the appropriate sections of the Public Health (London) Act, 1936.

6. Under the provisions of legislation before 1890, there were two classes of slaughterhouses known as "registered slaughterhouses" and "slaughterhouses licensed without limitation of time" which were not subject to review by any system of annual licensing. There was a third class established by legislation in 1890 which was subject to annual licensing. Although the 1938 Act brought the first two classes into a new common class, subject to licences for limited periods of one year or thereabouts, it provided somewhat privileged conditions for them in regard to the manner in which applications for the grant or renewal of licences were to be dealt with by the local authority—see paragraph 11 below.

7. The Act came into operation on 1st October, 1939 and provided that all slaughterhouses which were registered or licensed and in use immediately before that date should be deemed to be licensed under the Act until the 31st January, 1940. It is important to note that the existing Meat and Livestock Control Scheme came into operation on 15th January, 1940 and that, because of the restrictions on slaughtering imposed by this control, the licensing provisions of the Act have not yet been generally applied.

8. We have been informed by the Ministry of Food that particulars obtained from local authorities about a year ago show that in 1938 there were about 11,500 private slaughterhouses (excluding bacon factories) in England and Wales. About one half of the total number was in the rural districts and the remainder in county boroughs, boroughs and urban districts. It is estimated by the Ministry that about one half of the total comprised the "registered" class of premises and that the remainder was either on annual licence or licensed without limitation of time; it is believed that there were few of the latter class.

9. The Act does not lay down any code of conditions of hygiene and public health that should apply to slaughterhouses and be taken into account when applications are made for the grant or renewal of licences. The provisions of earlier legislation are, however, included in the Act to enable local authorities, if they so wish, to make byelaws for securing that slaughterhouses are kept in a sanitary condition and are properly managed, and for preventing cruelty; but it is understood that few local authorities had made such byelaws prior to 1938 and that no byelaws have been made since.

10. In general, therefore, it may be said that in considering applications for grant or renewal of licences a local authority would have regard to its own standard of hygiene and public health requirements, subject to conditions in any local byelaws for slaughterhouses and such provisions of the Slaughter of Animals Acts which relate to the structure and design of slaughterhouses for preventing cruelty.

11. A local authority's powers to refuse to grant or renew a licence for the "registered" and "licenced without limitation of time" slaughterhouses are, however, limited by the Act in that it cannot refuse licences for them unless it is satisfied that the applicant is an unsuitable person or that it is not reasonably practicable to render the premises suitable. Where a local authority considers that improvements should be made to these classes of premises, and that it is practicable to make the improvements, it must adjourn the application and issue a notice specifying the works to be done; this notice serves as a licence for a minimum period of four months and, where necessary, extensions of this period may be granted.

12. Where an applicant for any class of slaughterhouse is refused a licence the local authority, if asked within 14 days, must give him a statement of the grounds on which the refusal was based.

13. Any applicant who is refused a licence may appeal to the courts against the local authority's decision.

II. EXISTING LEGISLATION GOVERNING THE PROVISION OF PUBLIC SLAUGHTERHOUSES

14. Section 60 of the 1938 Act empowers a local authority to provide public slaughterhouses; local authorities for this purpose are those mentioned in paragraph 5 above.

15. The charges made by a local authority for the use of a public slaughterhouse may not be more but may be less than those in a scale approved by the Minister of Housing and Local Government in respect of that particular slaughterhouse.

16. We are informed by the Ministry of Food that about 120 local authorities in England and Wales had provided public slaughterhouses before the war. During and since the war only one new public slaughterhouse has been provided by a local authority; this was at Plymouth where no public slaughterhouse previously existed and almost all the private slaughterhouses had been destroyed by enemy action.

III. EXISTING LEGISLATION GOVERNING THE CLOSURE OF PRIVATE SLAUGHTER-HOUSES

17. Apart from the power given to a local authority to refuse to grant or renew a licence on grounds of public health (which is subject to further qualification in the case of the two special classes of slaughterhouses mentioned in paragraphs 6 and 11) a local authority may close a private slaughterhouse only in one or other of the following ways:—

- (a) by acquiring by agreement any private slaughterhouses and discontinuing the use of the premises for slaughtering (Sections 61 (1) (a) of the Act);
- (b) by agreeing with the persons interested in a slaughterhouse for the discontinuance of slaughtering in the premises (Section 61 (1) (b) of the Act);
- (c) by providing a public slaughterhouse and determining, subject to any exemptions and reservations that may be necessary, that existing licences for premises in its district will be revoked and will not be renewable and that no licence will be issued for any new premises (Section 61 (2) of the Act).

18. The closure of private slaughterhouses under method (c) in paragraph 17 is subject to the condition that the local authority's resolution to adopt this method must be approved by the Minister of Food who has to be satisfied that the public slaughterhouse, together with any private slaughterhouses which the local authority may exempt from closure, will provide slaughtering facilities sufficient to meet the needs of the district.

19. The owner and occupier of any premises closed under method (c) which were lawfully being used as a slaughterhouse at the date when the local authority's resolution became operative are entitled to compensation from the authority for any loss sustained by them by reason of their being precluded from using the premises for slaughtering. The Act makes no provision for compensation where under Section 57 the local authority refuses to grant or

renew a licence on grounds of public health or hygiene or the unsuitability of the applicant. Thus, as we are advised, under the existing law the only occasion on which compensation can be paid is where a local authority has provided public slaughtering facilities.

IV. EFFECT OF CONTROL SCHEME ON NUMBER OF SLAUGHTERHOUSES USED

20. Throughout the control scheme the Minister of Food has been solely responsible, with minor exceptions, for the slaughtering of all cattle, sheep and pigs for human consumption. This has been enforced under the provisions of the Livestock (Restriction on Slaughtering) Order, 1947, and of earlier Orders revoked by that Order.

21. It was impracticable for the administration of this control for the Ministry of Food to use the 11,500 (or thereabouts) slaughterhouses. A selection was, therefore, made and at the outset a total of 670 slaughterhouses (public and private) in England and Wales was used. During the early period of control the number was reduced and has since varied from time to time; at present the number stands at 482 of which 119 are public slaughterhouses owned by local authorities, 358 are privately owned premises and five are new slaughterhouses built by the Government since 1950.

22. As comparatively few slaughterhouses were required for use under the control scheme, the National Federation of Meat Traders' Associations, according to information supplied to us by the Ministry of Food, expressed its concern, prior to the introduction of control, about the effect of control on the licensing provisions of the 1938 Act. These representations were considered by the Ministry of Health (the Department at that time responsible for the administration of the 1938 Act) and the Ministry of Food. There were two questions to be considered:—

- (a) whether it was necessary for local authorities to consider applications for renewal of licences for premises which would not be used during the control period; and
- (b) whether the licensing of slaughterhouses at the end of control would be prejudiced by reason of the fact that the premises had not been used or licensed during the whole or any part of the control period.

23. We are informed by the Ministry of Food that the view of the Ministry of Health on (a) in the preceding paragraph was that it was for local authorities to consider and deal with any applications made to them under Section 57 of the Act in accordance with the terms of that Section. Nevertheless, that Department, although it did not feel that any general circular of advice to local authorities was required, held the view that it could not be contended that applications for licences ought to be made and entertained in respect of premises which were not being used for slaughtering during the control period.

24. As regards (b) in paragraph 22, we have been shown a copy of a letter sent on 30th January, 1940, by the Ministry of Food, after discussion with the Ministry of Health, to the National Federation of Meat Traders' Associations. That letter summarised the licensing provisions of Section 57 of the 1938 Act and, without prejudice to the powers of local authorities under these provisions, expressed the view that when the time came to consider applications for licences for premises which had not been used during control the local authorities would doubtless give full weight to the fact that the use of the premises had been discontinued solely by reason of the Government control scheme.

25. We are informed by the Ministry of Food that particulars are not readily available to show the number of private slaughterhouses in England and Wales at present licensed by local authorities. From enquiries made through the

Ministry about a year ago it appears that at least 2,500 premises were then licensed and that the total number might have been about 4,000. It is understood that some local authorities have regarded the licensing provisions of the Act as being in abeyance during the control period except as regards such premises as were actually being used for slaughtering. In other places occupiers of premises have at times during control made applications for licences and local authorities have dealt with the applications in accordance with the provisions of Section 57 of the Act either by grant or refusal of licences and it is understood that there have been some appeals to the Courts against refusals.

V. POSITION AT END OF CONTROL UNDER EXISTING LEGISLATION

26. With the one exception mentioned in paragraph 16 above no new public slaughterhouses have been built by the local authorities during and since the war; there has also been a hold-up in the carrying out of works of major improvement and reconstruction. This has been due primarily to the severe restriction on capital expenditure and more recently to the need for ensuring that any proposal by a local authority to build a new slaughterhouse will fit in with the plan of moderate concentration. As an emergency measure for the purposes of the control scheme the Government has built five slaughterhouses which are in operation at Canterbury, Fareham, Grimsby, Guildford and Swindon and two more are nearing completion at Salisbury and Wimborne.

27. A great deal of building work has, therefore, to be done and will take many years to carry out. Meanwhile the consumers' needs must be met and for some time to come it will be necessary largely to rely on the existing facilities, ill-provided though they may be.

28. It might be argued that the limited number of slaughterhouses now used by the Ministry of Food could handle the fatstock that would be purchased by the trade under conditions of decontrol. But this would not be practicable: the Ministry of Food, by its statutory controls and necessary restrictions on the consumer, is able to move fatstock and meat where it will and to ensure a maximum load for the slaughterhouses it uses even though at some seasons they may be inconveniently situated both as to the supply of fatstock and the movement of meat; the private trader will have to study the varying requirements of consumers and to face the competition of other traders. The needs of the private trader as to the place and time of slaughter of his animals will, therefore, vary considerably from those which have suited the Ministry operating on a national basis.

29. Furthermore the concentration in the number of slaughterhouses brought about by control has resulted in the Ministry using many small premises which were originally provided or acquired by the present owner solely for the purposes of his own business. These premises may not lend themselves to being used, or being readily or quickly adapted for use, by more than one operator nor could their continuous use be arranged as is possible under the present control.

30. No information is available centrally to show how many of the pre-war slaughterhouses may still be available and suitable for slaughtering. Some are being used temporarily for other purposes and may need improvements or alterations to make them suitable. Even where premises are suitable or could be made suitable, the owners may not be in a position to decide until nearer to the date of decontrol whether they intend, or will be able, to use the premises for slaughter; this will depend in most cases on the manner in which they propose to operate their business in future, on their staffing position and upon the conditions under which their slaughterhouses would be licensed. Some

of the pre-war premises have been converted permanently to other uses; others have been destroyed by enemy action or have been demolished or have become derelict.

31. Many local authorities would be reluctant to see a return to the pre-war number of slaughterhouses in their districts since this would increase their liability to compensation when they were able to provide a public slaughterhouse and close the private premises. It would also increase the difficulties of meat inspection as this work would have to be done at many more points.

32. For these reasons some local authorities might be disposed indirectly to limit the number of slaughterhouses by adopting a somewhat higher standard of conditions than they might otherwise have done but even so their powers of refusal of licences are limited in respect of the old "registered" and "licensed without limitation of time" slaughterhouses—see paragraph 11.

33. In certain districts it may well arise that many of the pre-war slaughterhouses are no longer available for use and that those which are available and suitable will be insufficient in terms of total weekly killing capacity for the requirements of the districts. Some traders may be unwilling to resume slaughtering or may be unable to get the labour to do so.

VI. COMPENSATION UNDER EXISTING ARRANGEMENTS ON CLOSURE OF PRIVATE SLAUGHTERHOUSES WHEN A PUBLIC SLAUGHTERHOUSE IS PROVIDED

34. The compensation that would be payable by a local authority on the closure of private slaughterhouses when providing a public slaughterhouse is an important concern in the minds of local authorities and the owners and occupiers of private slaughterhouses. The extent of compensation is uncertain as the Act gives little guidance as to the assessment of the loss sustained by the persons interested in premises which are closed. The last case of this kind was at Sheffield in 1929 and the bill was a heavy one.

35. The factors to which a local authority might have regard in assessing the likely compensation may vary as between districts and, if the authority considers that the cost of compensation may be high, it may be reluctant to insist on costly, but possibly desirable and essential, improvements to a private slaughterhouse as a condition of renewal of licence lest this might add considerably to the cost of compensation at a future date.

36. On the other hand if the occupier is uncertain as to the basis of compensation he may be reluctant to carry out improvements to his premises because of the possibility that in a relatively short time his slaughterhouse may be closed under the policy of moderate concentration and the compensation might not take account of the expenditure he had incurred a short time previously.

37. For all these reasons we are satisfied that the existing law on the provision of public slaughterhouses and on compensation is not suited to the conditions that will arise on decontrol.

38. We have noted from the report of the Slaughtering Committee of the Economic Advisory Council, 1933 (De La Warr Committee) that that Committee considered the question of compensation. They stated that the following were the grounds upon which it had been urged that compensation should be paid:—

- (a) the loss of the value of the monopoly conferred by a licence upon the revocation of the latter;
- (b) the additional expenditure incurred by private butchers as the result of being compelled to use a public slaughterhouse;
- (c) the reduction in the value of specialised plant or buildings consequent upon the prohibition of their use for the purpose for which they were constructed.

39. That Committee rejected the first of these claims on the ground that no monopoly value could be shown to have existed and the second on the ground that such expenditure, if it occurred, would be passed back to the producer or forward to the consumer.

40. That Committee reached the conclusion that compensation on the third ground was reasonable. Subject to one of its other recommendations that all private slaughterhouses should be liable to be closed without compensation at the end of a period of ten years from the establishment of a National Slaughterhouse Board (a proposed body which was not set up), it recommended that the total compensation payable in respect of premises closed within the ten-year period should be based solely on the reduction in value of plant and buildings below their replacement cost, less an appropriate allowance for depreciation, consequent upon the prohibition of the use of the premises for which they were constructed.

VII. RECOMMENDATIONS

41. The paramount requirement which will arise immediately before decontrol is to ensure that sufficient slaughtering facilities shall be available to enable the marketing of fatstock and distribution of home-killed meat to proceed smoothly at all seasons of the year after decontrol. An insufficiency of slaughtering accommodation generally, or in particular districts, would seriously affect the agricultural industry and endanger the Government's policy for the marketing of fatstock. It will be necessary on decontrol to use more slaughterhouses than are at present being used by the Ministry of Food. This may seem to be a retrograde step having in mind an ultimate moderate concentration of slaughterhouses but in many areas a period of some years must elapse before moderate concentration schemes can be put into effect. Because of the vital necessity to ensure that arrangements in the interim period are adequate we consider that exceptional arrangements, which we would not otherwise have suggested, must be made. On the other hand in making our recommendations we feel that the arrangements we propose to meet the needs of the interim period need not conflict with the long-term plan for moderate concentration. To this end we make the following recommendations.

A.—Responsibility for licensing private slaughterhouses and operative period of licences

42. Local authorities are responsible under existing legislation for the licensing of private slaughterhouses. We consider that this duty should remain with them during the interim period. This would be without prejudice to any arrangements that may need to be applied when moderate concentration is implemented.

43. A butcher, who wishes to bring into use in the coming months a slaughterhouse which has been out of use for some years, may have to carry out certain improvements. A licence for the premises limited as at present by the Act to a maximum period of 13 months may not induce him to incur the expenditure on essential improvements. We feel, therefore, that it would assist in attaining the objectives we mention in paragraph 41 if local authorities, in such cases as they consider necessary, had discretion to determine that the period of any licence issued should be operative for not more than 36 months in place of the existing maximum of 13 months. This might be applied so that any such extended licence issued before 1st July, 1956 should expire on 31st July, 1957, but that all licences issued on or after 1st July, 1956 should be for a period not exceeding 13 months.

44. We see no sufficient reason for maintaining in future the provisions of Section 57 (3) of the Act which limit a local authority's powers of refusal of a licence for the old "registered" or "licensed without limitation of time" slaughterhouses when these premises are considered to be unsuitable for use.

45. In view of our conclusions in paragraphs 42 to 44 we recommend:—

- (a) that the responsibility for licensing private slaughterhouses should remain with the local authority for the district during the interim period prior to the implementation of moderate concentration;
- (b) that no slaughterhouse, irrespective of its class before the war, should have any privileged conditions to restrict the local authority in its consideration of the application for a grant or renewal of the licence for the premises; and
- (c) that local authorities should have discretion where they see fit to determine that the period of operation of a licence issued before 1st July, 1956 should run to 31st July, 1957.

B.—Responsibility for ensuring that sufficient slaughtering accommodation is available in each district

46. There will be only a short time before control ends. Having regard to the paramount necessity in these circumstances of seeing that adequate slaughterhouse accommodation is then available, we think it is essential to secure that some body is charged with the responsibility for ensuring that such accommodation is available in all areas of the country. We think this task must rest with local authorities rather than with the central Government Departments.

47. At the outset there will be limited information immediately available about the future needs of any district, as the pattern of trade in any particular locality will differ considerably from the arrangements during control and even from the experience of pre-war requirements. But despite this we are satisfied from our inquiries that the local authority by reason of its responsibility for licensing and its close connection with local trade and consumer interests will be the most appropriate body to review and assess the slaughtering requirements of its district.

48. We therefore recommend:—

that the responsibility for seeing that sufficient slaughtering accommodation is available for the needs of each district in the period pending the implementation of moderate concentration affecting that district should be placed on the local authority.

49. In our following recommendation we suggest measures to enable local authorities to ensure that sufficient slaughtering accommodation is available for the needs of their district.

C.—Provision of public slaughtering facilities

50. In view of the responsibility which we recommend in paragraph 48 should be placed on local authorities it will become necessary to provide them with special means to discharge it.

51. We consider, therefore, that a local authority, subject to such Ministerial approval as may be necessary in the circumstances of each case, should be empowered to acquire compulsorily or by agreement, either by purchase or on lease, any existing private slaughterhouse or slaughterhouses that can be used to enable butchers in the district to have the necessary facilities for slaughter. For this purpose some private slaughterhouses at present being used by the Ministry of Food may be required by local authorities.

52. In considering the slaughtering requirements of its district and the need for any public slaughtering facilities, the local authority should take fully into account whether any public slaughtering facilities are conveniently and readily available, or might become available, in an adjoining or nearby district.

53. We therefore recommend:—

that where a local authority is of the opinion that, during the period prior to the implementation of a scheme of moderate concentration affecting its district, public slaughtering accommodation is required for the needs of its district and, if necessary, for the needs of an adjoining or neighbouring district, it should be empowered, subject to such Ministerial approval as may be necessary, to acquire compulsorily or by agreement, either by purchase or on lease, any existing private slaughterhouse or slaughterhouses that can be used to provide public slaughtering facilities.

54. Where under the provisions of this recommendation a local authority provides public slaughtering facilities, this should not be regarded as indicating that a public slaughterhouse will necessarily be sited at that place under the scheme of moderate concentration.

55. We have purposely not provided in this recommendation for the building of new slaughterhouses by local authorities under these interim arrangements; we shall deal with this in our final report.

56. We are supported in our recommendations contained in paragraphs 48 and 53 by the evidence we have received from the Associations representing local authorities.

D.—Closure of private slaughterhouses where public slaughtering facilities are provided

57. Under the present law the main point which local authorities must have in mind in considering applications for the grant or renewal of licences is that of public health. This should still remain the first aspect to be considered but we think that if local authorities are to be able to work towards moderate concentration they must have the power to limit the numbers of private slaughterhouses in their districts when they are satisfied that there is already adequate capacity. We think, however, that it would not be equitable for a local authority to exercise such a power unless an applicant who was refused the grant or renewal of a licence on these grounds had reasonable access to public slaughtering facilities. We consider, therefore, that a local authority should refuse to grant or renew a licence on these grounds only where public slaughtering facilities are reasonably available. We would propose that, as at present, an applicant who is refused the grant or renewal of a licence should have the right to require the local authority to state the grounds of the refusal. If the refusal is on public health grounds we consider that, as now, there should be a right of appeal to the courts and that, also as at present, no compensation should be payable if the refusal is upheld. If the refusal is on the grounds that adequate slaughtering capacity is already available, we think that there should be a right of appeal to the Minister of Food and that compensation should be payable since the refusal is an anticipation of the moderate concentration arrangements.

58. Before a local authority reaches a decision to close any private slaughterhouses which it considers to be in excess of requirements we think there should be consultations between the authority and the local interests concerned including neighbouring local authorities.

59. We recommend therefore:—

that where a local authority is of the opinion that there is adequate slaughtering capacity available and that public slaughtering facilities are reasonably accessible to traders in its area for use during the interim period it should have powers to revoke the licence of any private slaughterhouse or to refuse the grant or renewal of the licence of any private slaughterhouse subject to the owner and occupier of such premises having the right of appeal to the Minister of Food and subject to the compensation on closure being assessed and paid on the basis of our two following recommendations.

60. In those areas where the five new slaughterhouses built by the Government during the control period are now operating we consider that the local authorities of all the districts which can reasonably be served by those slaughterhouses should give very careful consideration to the question whether it will be necessary for any private slaughterhouses to operate in their districts and that, as necessary, they should make use of the powers to close private slaughterhouses we have suggested in this recommendation.

E.—Basis of Compensation

61. Under our preceding recommendation there would be an eligibility for compensation where private slaughterhouses are closed by the local authority as being in excess of the needs of the district. In order that both local authorities and the owners and occupiers of private slaughterhouses may be aware of the basis on which the compensation would be assessed in future we recommend:—

that the compensation should be an amount representing the diminution in market value, as at the date of closure, of the interest in land (including any buildings and plant) comprising the slaughterhouse and other land (including buildings) held therewith consequent upon the prohibition of the use of the slaughterhouse as such and that any dispute as to the amount of compensation should be determined by the Lands Tribunal set up by the Lands Tribunal Act, 1949.

62. In making this recommendation we have taken into account the recommendation of the De La Warr Committee—see paragraph 40—and we have also consulted the Chief Valuer of the Board of Inland Revenue.

63. We are in agreement with the view reached by the De La Warr Committee that no provision should be made in the compensation for any additional expenditure that might be incurred by a private trader in using public slaughtering facilities.

64. We also accept the view of that Committee that compensation should not specifically include any element in respect of the loss of "licence value" attaching to a slaughterhouse. We are advised by the Chief Valuer that, in assessing compensation under the terms of our recommendation, account would be taken of the fact that a private slaughterhouse could not lawfully operate without a licence but that the compensation would not contain any element of value for the certainty of continuation of licence. This is in accordance with our intention.

65. That Committee also recommended that compensation should not be payable in respect of any private slaughterhouses closed after a certain period. In present circumstances we see no reason to adopt this.

F.—Bodies responsible for payment of compensation

66. Under existing legislation the local authority which provides a public slaughterhouse and resolves to close all or some of the private slaughterhouses in its district is responsible for payment of compensation.

67. The Associations representing local authorities have stressed in their evidence to us, both in regard to the implementation of the long-term policy of moderate concentration and the application of any arrangements in the period immediately following decontrol, that the incidence of compensation will place an undue burden on the local authority providing a public slaughterhouse.

68. The Associations accordingly suggested that as the Government is anxious that the policy of moderate concentration should be applied throughout the country, the Government, as a token of its intentions in this respect, should bear some part of the financial responsibility of implementing this policy; and they suggested that the cost of compensation should be borne by the Government.

69. Under our preceding recommendations a local authority would be responsible during the interim period for seeing that sufficient slaughtering accommodation is available for the needs of its district, for licensing slaughterhouses in its district and for closing slaughterhouses when public slaughtering facilities are conveniently available. The eligibility for compensation on the closure of private slaughterhouses in a district would thus arise from the use of these powers by the local authority.

70. We have considered whether the cost of compensation should be regarded as part of the cost of providing public slaughtering accommodation and, as such, be included in the headage charges for the use of the public facilities. In some circumstances this might be practicable and justifiable but we do not think that it would be feasible to apply this generally during the interim period. It has moreover, been urged upon us that the cost of compensation should be regarded as a charge on public funds in that it represents part of the cost of establishing satisfactory facilities for meat production in accordance with public requirements.

71. Where a local authority closes private slaughterhouses by reason of the availability of public slaughtering facilities, irrespective of whether these public facilities are in its own district or in that of another authority, it will effect some saving in its costs of meat inspection as fewer slaughtering points will require to be supervised.

72. We should perhaps state here that we have it in mind that where a public slaughterhouse is provided by a local authority, whether serving only its own district or, in addition, the districts of other local authorities, there should be a limitation on the profits that could be made by the undertaking and we will deal with this in more detail in our report on our original terms of reference.

73. We have, therefore, reached the conclusion that in future the cost of compensation in respect of slaughterhouses closed in any district should be borne initially by the local authority of the district in which the premises are situated. We feel, however, that the national Exchequer should bear some part of the compensation and we therefore recommend:—

that during the interim period and during the period of implementing moderate concentration the cost of compensation in respect of private slaughterhouses closed by reason of the provision or existence of available public slaughtering facilities should be borne initially by the local authority of the district where slaughterhouses are closed and that the Government should make a grant to the authority of one half of this cost.

74. As a means of easing the burden on local rates we consider that it should be made possible for a local authority, if it so desires, to meet its share of the cost of compensation by means of borrowing powers.

VIII. SUMMARY OF RECOMMENDATIONS

75. The following is a summary of our recommendations:—

- (i) That the responsibility for licensing private slaughterhouses should remain with the local authority for the district during the interim period prior to the implementation of moderate concentration. (Paragraph 45 (a)).
- (ii) That no slaughterhouse, irrespective of its class before the war, should have any privileged conditions to restrict the local authority in its consideration of the application for a grant or renewal of the licence for the premises. (Paragraph 45 (b)).
- (iii) That local authorities should have discretion where they see fit to determine that the period of operation of a licence issued before 1st July, 1956 should run to 31st July, 1957. (Paragraph 45 (c)).
- (iv) That the responsibility for seeing that sufficient slaughtering accommodation is available for the needs of each district in the period pending the implementation of moderate concentration affecting that district should be placed on the local authority. (Paragraph 48).
- (v) That where a local authority is of the opinion that, during the period prior to the implementation of a scheme of moderate concentration affecting its district, public slaughtering accommodation is required for the needs of its district and, if necessary, for the needs of an adjoining or neighbouring district, it should be empowered, subject to such Ministerial approval as may be necessary, to acquire compulsorily or by agreement, either by purchase or on lease, any existing private slaughterhouse or slaughterhouses that can be used to provide public slaughtering facilities. (Paragraph 53).
- (vi) That where a local authority is of the opinion that there is adequate slaughtering capacity available and that public slaughtering facilities are reasonably accessible to traders in its area for use during the interim period it should have powers to revoke the licence of any private slaughterhouse or to refuse the grant or renewal of the licence of any private slaughterhouse subject to the owner and occupier of such premises having the right of appeal to the Minister of Food and subject to the compensation on closure being assessed and paid on the basis of our two following recommendations. (Paragraph 59).
- (vii) That the compensation should be an amount representing the diminution in market value, as at the date of closure, of the interest in land (including any buildings and plant) comprising the slaughterhouse and other land (including buildings) held therewith consequent upon the prohibition of the use of the slaughterhouse as such and that any dispute as to the amount of compensation should be determined by the Lands Tribunal set up by the Lands Tribunal Act, 1949. (Paragraph 61).
- (viii) That during the interim period and during the period of implementing moderate concentration the cost of compensation in respect of private slaughterhouses closed by reason of the provision or existence of available public slaughtering facilities should be borne initially by the local authority of the district where slaughterhouses are closed and that the Government should make a grant to the authority of one half of this cost. (Paragraph 73).

IX. CONCLUSION

76. Certain of our recommendations, if accepted, will require new legislation to amend appropriate sections of the Food and Drugs Act, 1938. In that event you will no doubt wish to consider whether an early announcement should be made by the Government so that all the interests concerned may be aware of the arrangements that will apply on decontrol. It is, we think, very important that local authorities should at once consult representatives of the local farmers and traders and make clear to them what action they propose to take in regard to slaughtering facilities to ensure the maintenance of meat distribution within their areas. It will not be practicable on decontrol to apply a national uniform code of hygiene in regard to the structure and design of private slaughterhouses. In general, a local authority should have regard to the public health requirements of its own district. The private slaughterhouses must not be allowed to slip back into the conditions of the pre-war disorders and numbers. Traders must, however, be given early notification whether they are to be permitted to resume private slaughtering or whether their needs will be met by the provision of public slaughtering facilities.

We are, Sir,

Your obedient Servants,

R. HERBERT.

L. W. CRAWFORD.

BASIL ENGHOLM.

J. LYTHGOE.

H. F. SUMMERS.

H. TWINCH.

V. F. WOOD,

Secretary.

23rd December, 1953.

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